

Reference: 01642463

Information Requests
information.requests@ofcom.org.uk

21 July 2023

Freedom of Information request: Right to know request

Thank you for your request for information concerning complaints about GB News' "Don't Kill Cash" campaign. Your request was received on 10 July 2023 and we have considered it under the Freedom of Information Act 2000 (the "FOI Act").

Your request

'as of today, how many complaints have you recd. regarding GB News 'Don't Kill Cash campaign'?

Provide the first 5 complaints recd. with personal info. redacted.'

Our response

Before responding to your question, we would like to provide some background information on Ofcom's complaints procedures and reporting.

In line with our published [procedures](#), complaints about broadcast standards are carefully assessed under Ofcom's [Broadcasting Code](#), which sets strict standards for programme content which broadcasters must follow. In cases where Ofcom considers there may have been a breach of the Code (or other Ofcom codes or licence conditions), it will launch an investigation. The possible outcomes of an investigation are that we judge an issue is in breach, resolved, or not in breach of our rules.

You can find decisions about complaints we have received in Ofcom's Broadcast and On Demand Bulletin (the "Bulletin"), published every fortnight on our website [here](#).

Responding to your request, at the time of publishing our [news release](#) announcing our investigation into the "Don't Kill Cash" campaign, we had received one complaint about the campaign. We have since received two more complaints at the time of writing, however we consider that the disclosure of the details of these complaints is exempt under section 44 of the FOI Act. Section 44 of the FOI Act exempts the disclosure of information which is prohibited by another enactment. In this case, we are prohibited under section 393 of the Communications Act 2003 from disclosing information which relates to a business (in this case, GB News), which we have obtained in exercising our powers conferred by, among other legislation, the Communications Act, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Communications Act is met,

neither of which apply here. Section 44 is an absolute exemption and does not require a public interest test.

Once our investigation has concluded, Ofcom will publish the outcome of its investigation in the [Bulletin](#).

If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely

Information Requests

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF